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*Attorneys for Defendant, CITY OF LOS ANGELES*

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

MARGARITO T. LOPEZ, SONIA  
TORRES, KENI LOPEZ, ROSY  
LOPEZ,

**Plaintiff(s),**

V.

CITY OF LOS ANGELES, JOSE  
ZAVALA, JULIO QUINTANILLA,  
AND DOES 1 THROUGH 10,  
INCLUSIVE.

Defendant(s).

**CASE NO. 2:22-cv-07534-FLA-MAAx**  
*Hon. Judge Aenlle-Rocha, USDC-1<sup>st</sup> Cthse, Ctrm 6B;  
Hon. Mag. Audero, USDC-Royal Bldg, Ctrm 690*

**REQUEST BY COUNSEL FOR CITY  
OF LOS ANGELES TO BE  
EXCUSED FROM FPTC HEARING  
OR, IN THE ALTERNATIVE,  
REQUEST TO ALLOW ANOTHER  
POLICE LITIGATION ATTORNEY  
TO APPEAR AT FPTC HEARING  
ON JUNE 28, 2024, FOR GOOD  
CAUSE; DECLARATION OF TY A.  
FORD**

**FPTC Hrg: June 28, 2024 @ 1:30 PM  
Trial Date: July 16, 2024 @ 8:30 AM**

*Filed concurrently with [Proposed] Order*

## **TO THIS HONORABLE COURT:**

Counsel for Defendant CITY OF LOS ANGELES, Deputy City Attorney Ty A. Ford, hereby respectfully requests leave of court to be excused from the Final Pretrial Conference (“FPTC”) or, in the alternative, to allow another attorney from the City Attorney’s Office’s Police Litigation Unit appear in his place at the FPTC on June 28,

1 2024, at 1:30 PM (and future proceedings) for good cause. The basis of the good cause  
2 is that (1) Mr. Ford will not participate in the jury trial, as there are no longer any direct  
3 claims alleged against Defendant City of Los Angeles; and (2) he will be out of the  
4 country on the date of the FPTC.

5 WHEREAS, on March 1, 2024, per the Parties' stipulation, the Court ordered that  
6 the federal claims against Defendant City of Los Angeles (denial of medical care,  
7 deliberate indifference to serious medical needs, and three *Monell* claims, all pursuant  
8 to 42 U.S.C. § 1983) were dismissed. (*See Doc. 57 at ¶ 1-7*). The stipulation and order  
9 further stated that the remaining state law claims (negligence, battery, negligent  
10 infliction of emotional distress, and violation of Bane Act) and federal claims (§ 1983  
11 claims for excessive force and substantive due process) were proceeding against the  
12 individual Defendant Officers Jose Zavala and Julio Quintanilla (represented by Muna  
13 Busailah, Esq.) *only* and *not* directly against Defendant City of Los Angeles, but rather  
14 under a vicarious liability theory ("None of the remaining claims are alleged under a  
15 theory of direct liability against Defendant City of Los Angeles, but rather under a  
16 theory of vicarious liability for Defendants Julio Quintanilla and Jose Zavala as their  
17 employer at the time of the incident."). (*Id. at ¶ 8.*).

18 WHEREAS, the Final Pretrial Conference in this matter was originally set for  
19 May 31, 2024. (*See Doc. 27*). This date was originally requested by Defense Counsel  
20 for Defendant City of Los Angeles due to a long-planned and prepaid family trip out of  
21 the county from June 11 through June 29, 2024. (*See Declaration of Ty A. Ford ["Ford*  
22 *Dec."] at ¶ 2*).

23 WHEREAS, Counsel for Defendant City of Los Angeles has reviewed and is  
24 aware of the Court's Civil Trial standing order re: "Schedule of Pretrial and Trial Dates,  
25 Trial Requirements, and Conduct of Attorneys and Parties" requiring lead trial counsel  
26 for all parties to be present at the Final Pretrial Conference.

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1        WHEREAS, although Deputy City Attorney Ford is still nominally on the docket  
2 in the instant matter as counsel for Defendant City of Los Angeles, he will not  
3 participate in the jury trial as trial counsel for Defendant City of Los Angeles, as all of  
4 the remaining claims are proceeding against the individual Defendant Officers Zavala  
5 and Quintanilla directly, with Defendant City of Los Angeles still named only for  
6 Plaintiff's vicarious liability theory. (See Doc. 57 at ¶ 8; Ford Dec. at ¶ 3). The Parties  
7 have stipulated that "Julio Quintanilla and Jose Zavala were working in the course and  
8 scope of their employment and under the color of law with the City of Los Angeles at  
9 the time of the incident," and thus, there is no factual dispute regarding the vicarious  
10 liability theory as to Defendant City of Los Angeles. (*See Id.*).

11        WHEREAS, on May 30, 2024, the Court *sua sponte* on its own motion continued  
12 the FPTC from May 31, 2024, to June 28, 2024. (*See Doc. 93*, text only entry).

13        WHEREAS, Counsel for Defendant City of Los Angeles will be out of the  
14 country on a pre-paid international trip with his family from June 11 through June 29,  
15 2024. (See Ford Dec. at ¶ 2). This trip was booked and paid for prior to the scheduling  
16 of the June 28, 2024, hearing date. *Id.*

17        WHEREAS, counsel for Defendant Officers Zavala and Quintanilla, Muna  
18 Busailah, Esq., will be present at the June 28, 2024, hearing. (Ford Dec. at ¶ 3). For  
19 purposes of FPTC and Motions in *Limine* hearing, the legal position for all the  
20 Defendants is the same. *Id.* All Joint Defense trial documents, including Joint Defense  
21 Motions in *Limine*, have already been filed. *Id.*

22        THEREFORE, based on the foregoing good cause, Defense Counsel for  
23 Defendant City of Los Angeles, Deputy City Attorney Ty A. Ford, respectfully requests  
24 leave of Court to be excused from the FPTC.

25        Alternatively, if the Court prefers, Mr. Ford can arrange for a colleague from the  
26 Police Litigation Unit of the City Attorney's Office to appear for Defendant City of Los  
27 Angeles at the June 28, 2024, FPTC hearing. (*See Ford Dec. at ¶ 4*). The appearing  
28 attorney will be familiar with Defendant City of Los Angeles's legal position as to all

1 matters to be heard by the Court. (See *Id.*). Again, Defendant City of Los Angeles will  
2 join with the Defendant Officers represented by Ms. Busailah, as to all legal arguments,  
3 and counsel appearing for Defendant City of Los Angeles will be familiar with the facts  
4 of the case. (See *Id.*). If the Court wishes, the attorney appearing for Defendant City of  
5 Los Angeles will file a Notice of Appearance of Counsel with the Court prior to the  
6 June 28, 2024, FPTC. (See *Id.*).

7  
8 Dated: June 4, 2024                   **HYDEE FELDSTEIN SOTO**, City Attorney  
9   **DENISE C. MILLS**, Chief Deputy City Attorney  
10    **KATHLEEN KENEALY**, Chief Assistant City Attorney  
11    **CORY M. BRENT**, Senior Assistant City Attorney

12 By: *Ty A. Ford*  
13    TY A. FORD, Deputy City Attorney  
14    *Attorneys for Defendant, CITY OF LOS ANGELES*

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## **DECLARATION OF TY A. FORD**

I, Ty A. Ford, declare as follows:

1. I am a Deputy City Attorney with the Los Angeles City Attorney's Office. I am assigned the responsibility of representing the Defendant City of Los Angeles in the matter of *Margarito T. Lopez, et al. v. City of Los Angeles, et al.*, U.S. District Court Case Number 2:22-cv-07534-FLA-MAAx. I am admitted to practice before the United States District Court-Central District of California. I make this declaration upon my own personal knowledge, except upon those matters stated upon information and belief.

2. At the inception of this matter, I requested an “early” Final Pretrial Conference (“FPTC”) because I knew I would be out of the country on a pre-paid international trip with my family from June 11 through June 29, 2024. The FPTC in this matter was originally set for May 31, 2024. (*See* Doc. 27).

3. Due to the dismissal of all federal claims against my only client in this matter, Defendant City of Los Angeles, and the stipulation that the remaining claims will proceed against the named Defendant Officers (Zavala and Quintanilla), represented by Muna Busailah, Esq., I will not participate in the jury trial as trial counsel for Defendant City of Los Angeles, as the remaining claims against Defendant City of Los Angeles are alleged only vicariously through the individual Defendant Officers. The individual Defendant Officers' counsel Ms. Busailah will be present for the June 28, 2024, FPTC. For purposes of FPTC and Motions in *Limine* hearing, the legal position for all the Defendants is the same. All Joint Defense trial documents, including Joint Defense Motions in *Limine*, have already been filed.

4. Thus, I am respectfully requesting to be excused from the June 28, 2024, FPTC, and further court proceedings in this matter. However, if the Court wishes for representation for Defendant City of Los Angeles other than Ms. Busailah for the June 28, 2024, FPTC, I can and will arranged for a colleague from the Police Litigation Unit of the City Attorney's Office to appear for Defendant City of Los Angeles at the June 28, 2024, FPTC hearing. The appearing attorney will be familiar with Defendant City

1 of Los Angeles's legal position as to all matters to be heard by the Court. Again, the  
2 Defendant City of Los Angeles will join with Defendants Zavala and Quintanilla,  
3 represented by Ms. Busailah, as to all legal arguments, and counsel appearing for  
4 Defendant City of Los Angeles will be familiar with the facts of the case. If the Court  
5 wishes, the attorney appearing for Defendant City of Los Angeles will file a Notice of  
6 Appearance of Counsel with the Court prior to the June 28, 2024, hearing.

7 I declare under the penalty of perjury under the laws of the United States of  
8 America that the foregoing is true and correct.

9 Executed this 4<sup>th</sup> day of June, 2024, at Los Angeles, California.

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11 Ty A. Ford  
12 TY A. FORD, Declarant  
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